

March Court - - - - 1761 - - - - 73

John Nairn
Robert Taylor} Command was given to the Sheriff of Somerset County that he should take Robert Taylor
late of Somerset County planter if he should be found in his Bailiwick and him should be brought before the Justices of his Lordships County Court of Somerset to be tried at Bideford Town in and for the County of the 1st Tuesday of March Anno Domini one thousand seven hundred and sixteen to Answer unto John Nairn of a plea of trespass upon the Case &c And the same day is given to the said John Nairn to

Answer upon the said John Nairn complained of the said Robert Taylor in the place &c in form following

Somerset County Robert Taylor late of Somerset County planter was Attacked to Answer unto John Nairn of a plea of trespass upon the Case &c And whereupon the said John by Littleton Dennis his Attorney complained that Whereas

the said Robert on the fifteenth Day of June Anno Domini MDCCLX at the County of Dorset made his certain note in Writing Called A promissory note with his proper hand thereto subscribed bearing date the day and year of at the County of Dorset that note to the said John then and there to deliver by which note the said Robert Obliged himself to pay to the said John Nairn the sum of four pounds sixteen shillings and six pence Current Money of Virginia and forty three shillings Current Money of Maryland with the Lawfull interest it being for Value Received by means whereof and by force of the Statute in such case made and provided the said Robert became Chargeable to pay to the said John the sum of four pounds sixteen shillings and six pence Current Money of Virginia of the value of eight pounds Current Money of Maryland. And forty three shillings Current Money of Maryland in the said Note mentioned According to the tenor of that note and thereof Chargeable being the said Robert on Consideration thereof afterwards to the day and year last past at the County of Dorset to pay to the said John the said sum of four pounds sixteen shillings and six pence Current Money of Virginia of the value of eight pounds Current Money of Maryland and forty three shillings Current Money of Maryland in the said Note mentioned According to the tenor of that note Neverthelss the said Robert his service & in form private and Regarding the said sum of four pounds sixteen shillings and six pence Current Money of Virginia of the value of eight pounds Current Money of Maryland and forty three shillings Current Money of Maryland in the said Note mentioned According to the tenor of that note to the said John hath not paid but that to do without Redress and little Dolt before the Sheriff afterwards to the day and year past at the County of Dorset after sometime had Refused and still doth refuse at the Sheriff afterwards to the day and year past at the County of Dorset and after sometime had time by the said John Required to the Damage of the said John twelve pounds Current Money of Maryland and therefor he bringeth suit &

A Copy of the foregoing Declaration was made and set to be served on the defendant for speedy trial At which Day here came the said John Nairn by Littleton Dennis his Attorney and the Sheriff with John Dennis Gale now here Presented that he had taken the said Robert Taylor whose body here at this day he had ready to Answer the said John Nairn of the said plea notwithstanding it was commanded

Whereupon the said Robert Taylor at the prayer of the said John Nairn is required to give special Birth the Action of the Plaintiff upon a certain John Dennis late of Somerset County Gentleman present herein Court in his proper person undertaken for the said Robert Taylor that if it should happen that Judgment in the plea of the Plaintiff should be rendered for the said John Nairn Against the said Robert Taylor or that he the said Robert Taylor should be herein Convict that then he the said Robert should pay and Satisfie unto the said John Nairn the Judgment of the Court thereon or Reader his body in execution of such Judgment to the prison of the Sheriff of the County as ... satisfie therof or that he the said John Dennis will do the same for him &

And the said Robert Taylor by William Haynes his Attorney Comer and Defendant the same affyng whereunto he saith that he cannot do the Action of the said John Nairn but that he did affyng upon himself in manner and form as the said John above Against him hath Complained and unto the Damage of the same John by him by Occasion of the Breaches in that part sustained the same Robert saith and Acknowledgeth that the said John hath sustained Damages by Occasion of the premises being his Cost and Charges by him about his suit in that part Appertaining to four pounds sixteen shillings and six pence Current Money of Virginia of the value of eight pounds Current Money of Maryland and forty three shillings Current Money of Maryland and not more and because the said Robert John Denys not this but the same Allegation grants to be true pays Judgment for the Damages above acknowledged together with his Costs and Charges to him to be Judged the

Therefore by Consent of the parties of it is considered that the said John Nairn Recover Against the said Robert Taylor his Damages to the sum of four pounds sixteen shillings and six pence Current Money of Virginia of the value of eight pounds Current Money of Maryland and forty three shillings Current Money of Maryland by the same Robert in form of Acknowledgment